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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of 73.202(b)) MM Docket No. 00-__
Table of Allotments)
FM Broadcast Stations)
(Hewitt, TX))

To: Chief, Allocations Branch
Mass Media Bureau

Petition for Rulemaking

Pursuant to 47 CFR 1.420(g), Bordeaux Radio Broadcasting respectfully petitions the FCC to institute a Rule Making proceeding that proposes to amend the FM Table of Allotments by allocating channel 294A to Hewitt, TX, as that community's first FM transmission service. ^{1/}

DISCUSSION

The proposed allocation would serve the public interest by providing a first local aural service to the community of Hewitt, TX. ^{2/} Hewitt is an incorporated city (in McLennan County Texas), whose 1990 Census population was 8,983 persons, an increase of more than 70% over its 1980 population. The 1998 population was estimated to have increased to 10,718. ^{3/}

^{1/} A "Request for Dismissal" is pending at the FCC with respect to a Petition for Rule Making, filed by Hewitt Radio Broadcasting Company on November 27, 2000, to allocate channel 295A at Hewitt, TX.

^{2/} See Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990).

^{3/} Texas State Data Center (January 1, 1998 estimated population rec'd
List ABCDE

04 4

Hewitt has its own schools, its own police and fire departments, and its own post office. Like other "communities" to which the FCC has allotted a local FM service, Hewitt has numerous local churches, ^{4/} local medical clinics, ^{5/} a local library, a local weekly newspaper, approximately 344 commercial business establishments, a Chamber of Commerce, several local banks and a nearby airport.

Attached hereto is an engineering report, which both details how Petitioner's proposal is consistent with the FCC's rules and also confirms the availability of ch. 294A at Hewitt. See Appendix A. Petitioner's proposal would result in a preferential arrangement of FM allotments. See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Finally, should this Petition be granted, and should the Petitioner be granted a CP for this new station at Hewitt, Petitioner will promptly construct its new facility.

Respectfully submitted,



Robert Lewis Thompson
THIEMANN AITKEN & VOHRA, LLC
908 King Street, Suite 300
Alexandria, VA 22314
(703) 836-9400
rlt4fcc@erols.com

December 7, 2000

^{4/} First United Methodist Church of Hewitt, Hewitt First Baptist Church, etc.

^{5/} Three clinics, including a branch of the highly regarded Scott & White Clinic.

**ENGINEERING EXHIBITS
IN SUPPORT OF
PETITION FOR RULE MAKING**

December 5, 2000

**Bordeaux Radio Broadcasting
FM Channel 294A □ 106.7 Megahertz
Hewitt, Texas**



LAWRENCE L. MORTON ASSOCIATES
2867 BELDEN DRIVE
HOLLYWOOD HILLS, CALIFORNIA 90068-1901
(323) 467-5010 / FAX (323) 467-5848

ENGINEERING STATEMENT

The information and data contained within this engineering statement were prepared on behalf of Bordeaux Radio Broadcasting, in support of a Petition for Rule Making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by allotting Channel 294A to Hewitt, Texas.

I. HEWITT, TEXAS

Hewitt is an incorporated city located within McLennan County, Texas. The 1990 U.S. Census population of Hewitt was 8,983 persons, an increase of 71.2 percent above the 1980 U.S. Census population of 5,247 persons. The 1990 U.S. Census population of McLennan County was 189,123 persons.

Hewitt has been assigned Postal ZIP Code 76643 by the U.S. Postal Service. The city has no aural broadcast services. The Bureau of the Census centroid geographic coordinates of Hewitt, referenced to the North American Datum of 1927, are:

North Latitude: 31 degrees, 27 minutes, 04 seconds

West Longitude: 97 degrees, 11 minutes, 37 seconds

From these reference geographic coordinates, Channel 294A is fully-spaced under 47 C.F.R. § 73.207 to all FCC assignments, allotments and proposals contained within the latest *FCC CDBS Database*¹.

Figures one and two show the relative locations of McLennan County within the State of Texas, and of the City of Hewitt within McLennan County. Figures three and four show the incorporated city limits of Hewitt and the allotment reference site.

II. MINIMUM SPACING REQUIREMENTS

As required by § 73.207 all minimum distance separation requirements are met from the Channel 294A allotment reference site proposed for Hewitt. All distances were computed by the methods outlined in § 73.208(c) of the

¹KDXT-FM is moving from Channel 294C at Granbury to Channel 296C1 at Benbrook, and KWBW-FM is moving from Channel 296A to Channel 277A at Waco, Texas, by *Report and Order*, MM Docket No. 98-198, released March 21, 2000.

Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

III. CONCLUSIONS

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, Bordeaux Radio Broadcasting, respectfully requests the following change to the Table:

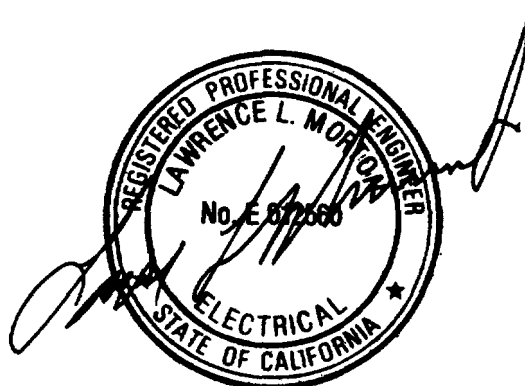
	<u>PRESENT</u>	
<u>CITY</u>		<u>CHANNEL</u>
Hewitt, TX		----

	<u>PROPOSED</u>	
<u>CITY</u>		<u>CHANNEL</u>
Hewitt, TX		294A

The petitioner asserts that, upon allotment of Channel 294A to Hewitt and the lifting of the present freeze on new applications, an application for construction permit to build a new Class A facility will be filed promptly to serve Hewitt, Texas.

Respectfully Submitted,

**Lawrence L. Morton, P.E.
Consulting Engineer to the Petitioner
December 5, 2000**



State of Texas

McLennan County

CENTER OF MAP:

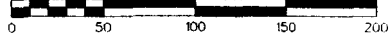
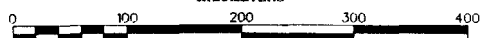
N LAT 31° 20' 58.00"

W LON 99° 39' 55.00"

Scale 1 : 6,642,985

FIGURE 1
COUNTY OF MCLENNAN
STATE OF TEXAS
BORDEAUX RADIO BROADCASTING

KILOMETERS



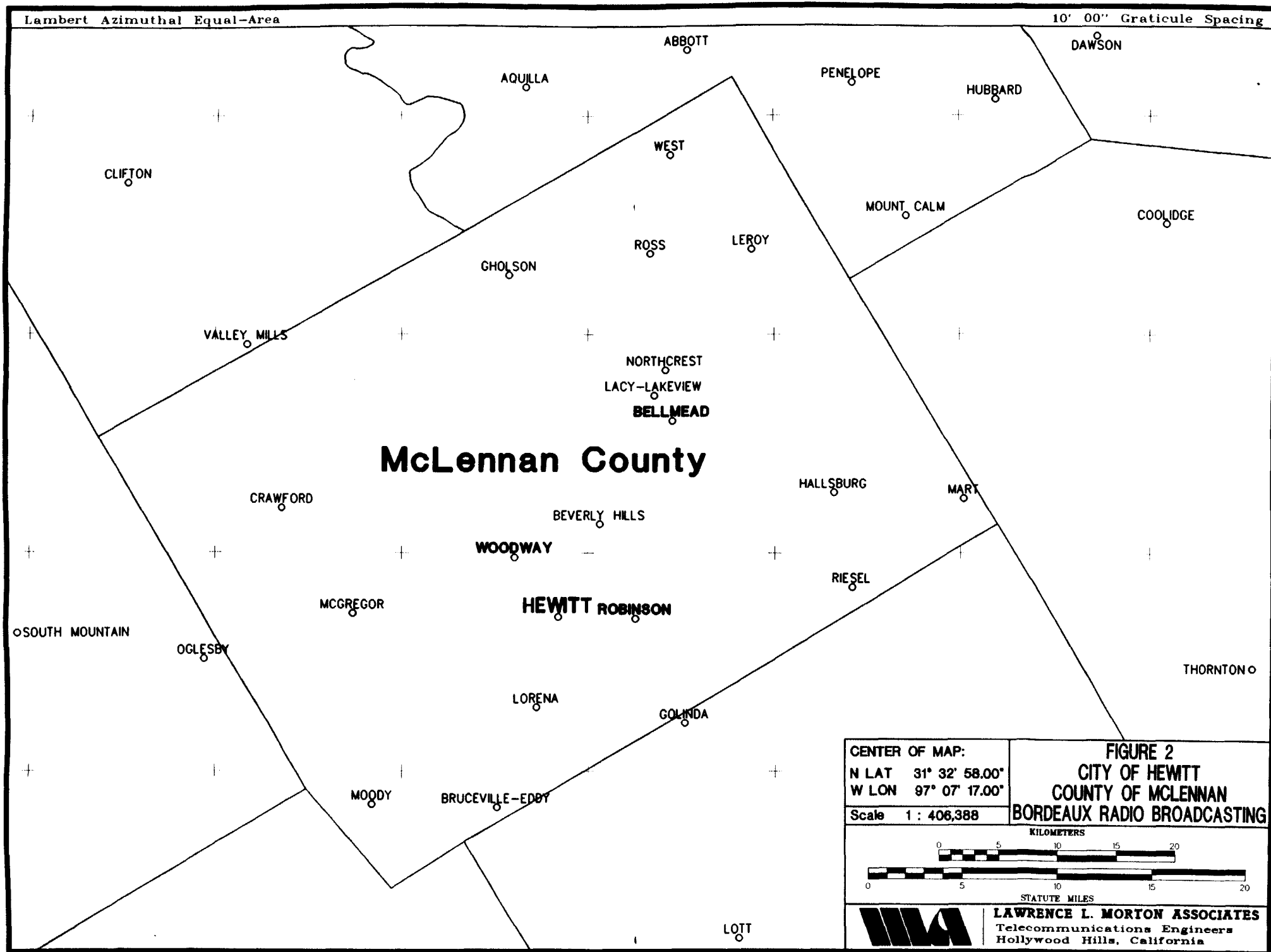
STATUTE MILES



LAWRENCE L. MORTON ASSOCIATES
Telecommunications Engineers
Hollywood Hills, California

Lambert Azimuthal Equal-Area

10' 00" Graticule Spacing



CENTER OF MAP:

N LAT 31° 32' 58.00"

W LON 97° 07' 17.00"

Scale 1 : 406,388

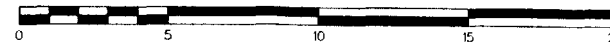
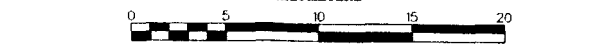
FIGURE 2

CITY OF HEWITT

COUNTY OF MCLENNAN

BORDEAUX RADIO BROADCASTING

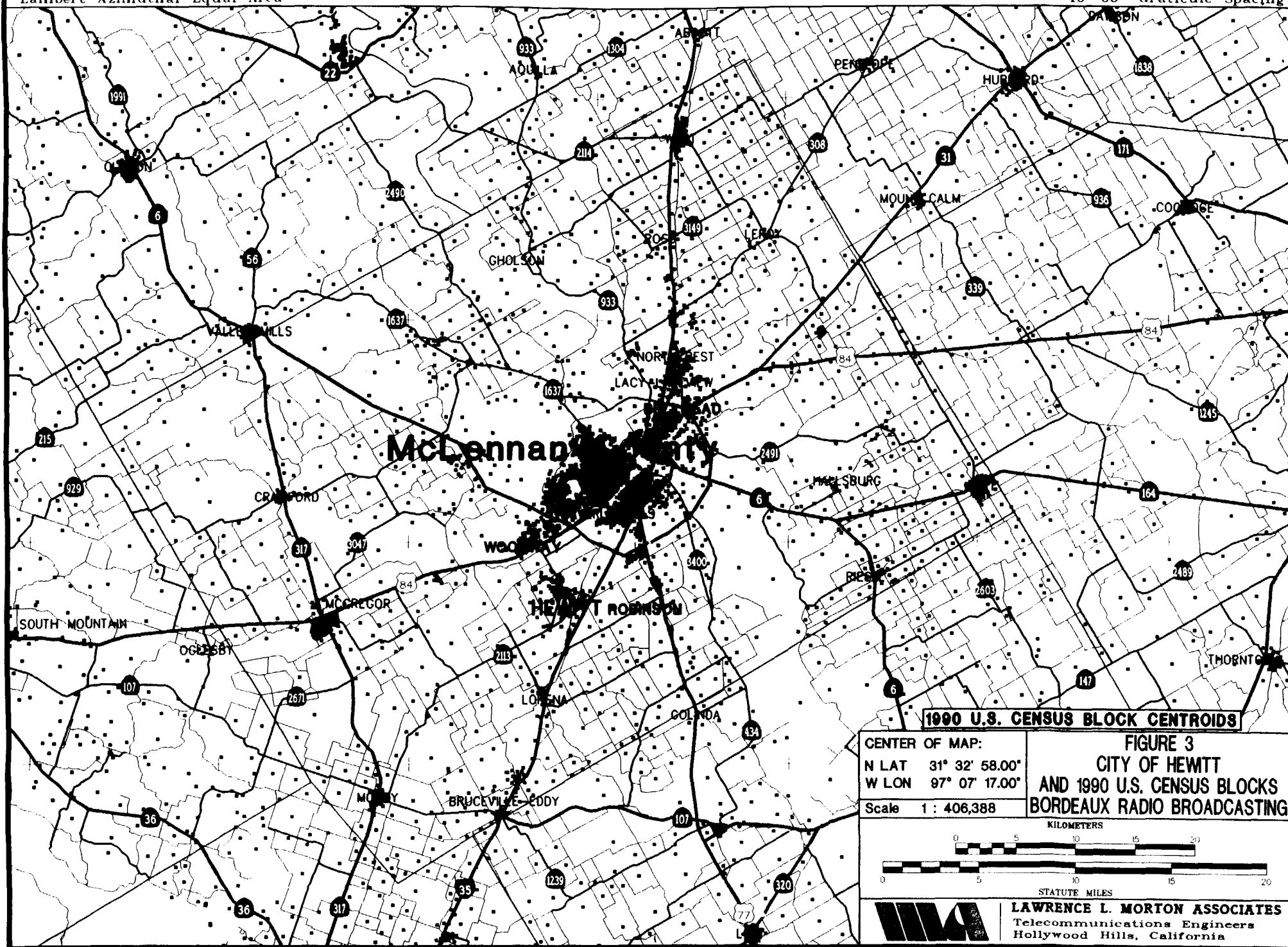
KILOMETERS



STATUTE MILES

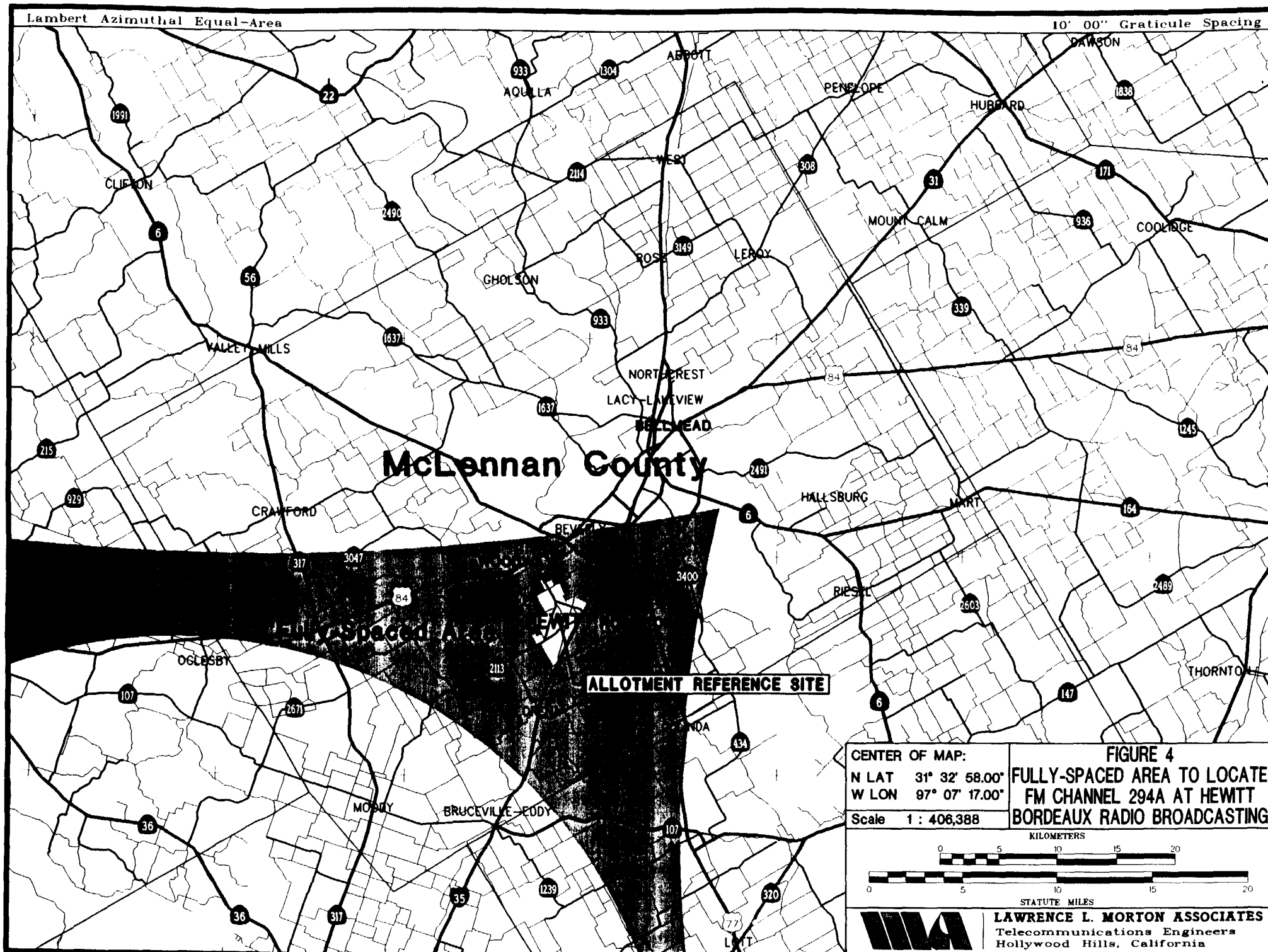


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Lambert Azimuthal Equal-Area

10' 00" Graticule Spacing



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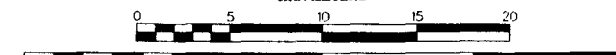
N LAT 31° 32' 58.00"
W LON 97° 07' 17.00"

Scale 1 : 406,388

FIGURE 4

FULLY-SPACED AREA TO LOCATE
FM CHANNEL 294A AT HEWTT
BORDEAUX RADIO BROADCASTING

KILOMETERS



STATUTE MILES



LAWRENCE L. MORTON ASSOCIATES
Telecommunications Engineers
Hollywood Hills, California

AFFIDAVIT

State of California)
) ss:
County of Los Angeles)

Lawrence L. Morton, being first duly sworn upon oath, deposes and says:

- That he is a qualified engineer,
- That he is a Registered Professional Engineer in the State of California,
- That he is a member of the Association of Federal Communications Consulting Engineers,
- That his qualifications are a matter of record with the Federal Communications Commission,
- That he has prepared many broadcast applications and engineering exhibits that have been filed with and granted by the Federal Communications Commission,
- That he has carried out such engineering work and that the results thereof are attached hereto and form part of this affidavit, and
- That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge.

Date: December 5, 2000


Lawrence L. Morton, P.E.

On December 5, 2000, before me, Linda Lu, a Notary Public, in and for the State of California, personally appeared Lawrence L. Morton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

My Commission expires 11/30/2001


Notary Public

